

33007 B2900.8.2up  
SOME WORDS

ON

RAILWAY LEGISLATION,

IN

A LETTER

ADDRESSED TO

SIR ROBERT PEEL, BART.

---

BY

CAUTUS.

---

LONDON:

JAMES FRASER, 215 REGENT STREET.

---

1837.

*Price Sixpence.*

385

C3135

## A LETTER, &c.

---

SIR,

THE interest which you have taken in the subject of Railways, as well as in all other great improvements having the general good for their object, will be a sufficient reason for addressing to you some few observations on the matter. My object in doing so is two-fold:—first, to point out some apparent defects in the present system of legislation as applicable to these works; and, secondly, to offer some general suggestions as to the principles on which they should be laid down, in order that they may be made productive of the most extensive and general advantage.

The experience of the last few years, and, particularly, searching examinations which

have taken place in the last session of Parliament, have brought forward many new facts; and questions, which were before only matters of opinion, have now been put to the test of experience. We are, therefore, in a position to reason with more safety on the subject than we have hitherto been.

I commence, then, by avowing myself as warm an advocate for the system of Railways as you are yourself known to be. I agree with you in thinking that their effects, in diffusing wealth and information, and in improving the moral, as well as the physical, condition of our species, will be greater than it is possible to calculate: but, with all this, I must express my strong conviction that *the system is overdone*; we are entering too hastily upon it; and some check must be applied, or we shall lose the advantages which are before us.

This view of the case, which was last year sufficiently striking, is so, in a much greater degree, at the present time. The applications for Railway acts in the present session

are nearly double the number of those of the last ; whilst, on the other hand, the financial situation of the country is in a less settled state. There are, therefore, the most cogent reasons for caution and deliberation.

It is a subject worthy of the attention of the legislature, and it is one which they will do well to take in hand before it be too late.

In pursuing this portion of the subject, it is to be observed, that the whole system is as yet in its infancy. One grand experiment has been tried, and it has succeeded beyond the most sanguine expectations of its projectors ; but that which is success between two such points as Liverpool and Manchester, would have been a failure in almost any other position. The enormous and daily accumulating traffic between those towns has enabled that undertaking to pay for the alterations which the imperfections necessarily incident to a new system rendered indispensable. Tens of thousands have been spent in these alterations ; and every month

has brought out some new and unexpected improvement. Other works, since completed, or now in progress, have profited by the experience for which the Liverpool and Manchester Railway Company have paid; and which, if obtained by any less important work, would have gone far to have crushed it in the trial.

Is it not, then, highly expedient that, before the system is too widely spread, some little time should be taken to see how it will work on the great lines that are now in progress, and several of which are fast approaching to completion? Had old Rome but known the now familiar principle that water will rise to its own level, what labour and treasure might she have spared in the erection of her aqueducts!

In a pamphlet recently published by Colonel MUDGE, of the Ordnance survey, the subject has been most fully considered with reference to the establishment of a NATIONAL SYSTEM of Railways, and with the view to the appointment of a committee of engineers



and scientific men, to examine the several plans which shall be submitted to Parliament.

The experienced author of this pamphlet lays great stress on the importance of establishing main trunk-lines of the most perfect description, from which whole districts may be supplied in the cheapest way by branches.

“The chief object,” he observes, “and important end, of a board constituted for the establishment, if possible, of a *perfect National Railway System*, would be the consideration and determination of the best main lines throughout the country.” \* \*

“Fortunately, owing to the sagacity and ability of the Railway engineers of the principal lines now executing, particularly the Birmingham, Great Western, South Eastern, and Midland counties, this question has been already in part decided. A portion of the frame-work may be said to be put or putting together, in conformity with the correct construction of the whole skeleton; but there is no time to be lost in securing the completion of the remain-

“ ing component parts in harmony with the  
 “ natural construction of the figure.”

The arguments which Colonel MUDGE adduces as to the importance of dealing with the question on the broad principles of national utility, are conclusive; and he has ably shewn the necessity for some preliminary legislative or other inquiry, especially where there are conflicting lines, in order that some security may be obtained for the public, that the lines *shall* be laid down not to serve the selfish or narrow object of individuals or particular towns, but for great and comprehensive good.

It is, perhaps, rather late now to establish such a tribunal as Colonel MUDGE has suggested, the great trunk-lines being, for the most part, laid out and granted by parliament: at all events, if such a decision were come to, all the new projects brought forward in the present session must, for the time, be suspended. I am not at all prepared to say, that it would not be the best policy so to suspend them; but it is a grave



matter, involving many important considerations.

But, however this may be, there can be no doubt as to the good sense of establishing some tribunal for the investigation of these subjects, more permanent in its nature, and partaking more of the judicial character, than the large committees of the House of Commons, as at present constituted.

The great mistake, then, as I venture to assert, consists in viewing these vast projects as *local* measures, and in referring them to *local* committees. No one can doubt that they are far too important in a national point of view to be so considered. It is, in fact, this very thing which leads to the infusion of a local, consequently a restricted, and not unfrequently of a *selfish* and *exclusive*, spirit into these undertakings.

A large manufacturing town is desirous of obtaining a Railway, to connect it with London or some other important place. The town in question, perhaps, returns members to parliament. The professional agents for

these members are engaged in the project. It is brought forward, and meetings are called, and the plan is warmly entertained : resolutions are passed, calling on the local members to support it. Perhaps it is next suggested, that with the plan in question some further and more extensive objects may be united ; some other towns may be approached, and a greater public advantage gained. Such a widening of the plan is brought forward ; but this is precisely the thing which is most devoutly abhorred by the great town. Local jealousies are excited ; meetings are called, and orations made ; and the local members, who were before earnestly requested to support a plan for the benefit of this town, are now constrained, under pain of the displeasure of an enlightened constituency, not merely to support the measure which will bring good to themselves, but vigorously to resist that which may possibly, also, be of advantage to their neighbours.

Can it, then, be said, that questions which

are of really national importance can with propriety be left to be influenced, not to say decided on such narrow principles as those? And yet such is, in fact, the working of the system.

The bill is referred to a committee composed, to a great extent, of members of the immediate district, or, at least, chiefly attended by them; such members necessarily entering the room with a bias on one side or the other. This might be of little importance were it a question of a turnpike-road or a pier, or even of a bridge or canal; but, where the question is on a great line of Railway, it is of paramount importance.

The members who attend these committees are, I say, chiefly composed of those who are locally interested. The other members are chiefly induced by the personal solicitations of the promoters or opponents to attend; and all are nominated on other committees, on which their attendance is often simultaneously required. The attendance is, therefore, in many instances, but partial

and interrupted. True it is, that the local knowledge of the members from the district through which the work is to pass may be most valuable; and so it would be, if it could be fairly and dispassionately applied, according to their own discretion; but this, for the reasons I have already stated, can very rarely be.

The decision of these important questions should not, therefore, be left so much to the local parties; although a proper infusion of their knowledge into the council will always be useful. I believe that this suggestion, if adopted, would be found agreeable to none more than to the honourable members themselves; who frequently are placed in most awkward situations by the conflicting interests of different districts of their counties.

If, therefore, it be admitted that these works are of national importance, is it right or sensible that the selection of them should be dependent on accident? Shall it be said, that such selection shall be regulated by the strength of the party promoting one work,

as compared with the strength of a rival? Shall the leaders of a popular party, in a particular town, give the casting vote on a question in which the whole country is interested? Shall, in fact, the legitimate province of the legislature be usurped by any section of the community? and shall questions enter parliament already decided by the weight of local influence, because no other and *general* influence is at hand to balance the scale?

If Railways are objects of *general*, and not merely of *local* interest, this cannot and must not be.

I say, sir, that they are of *general* interest—that their influence will be felt throughout the state—and that, where *bonâ fide* and substantial, they must be looked on as works, on the success of which the maintenance of our exalted position in the commercial world must depend.

If an alteration is suggested in the management of the British Museum, or a ques-



tion is raised as to the advancement of the fisheries, special selected committees of the superior minds of the House are appointed to examine and sift the subject to the bottom; and yet these are subjects comparatively unimportant, and comparatively well understood by the people at large. They are subjects to which if mistaken legislation were applied, no great harm could be done, and a false step could be easily retraced; but such is not the case in the vast movement which we are now about to commence: there will be no retracing our steps here. Such is the enormous expense of these works, that there can never, in all human probability, be more than one line in the same district; and, as Colonel MUDGE has shewn, a line laid down on narrow and selfish principles will not only prove ultimately a failure in itself, but will operate as a barrier against a better.

I assert, therefore, sir, with confidence, that, so long as the present tribunal for the



decision of Railway subjects exists, there can be no security for the public that the system will be brought into operation, as it ought to be, on the broad principles of public utility.

The remedy proposed by Colonel MUDGE would be effective ; but it would be attended with much expense, and with some delay. Perhaps, neither is a serious consideration, when we see how much is at stake. But there are within the doors of the House of Commons men fully qualified to form a committee of general inquiry—men of the highest scientific attainments ; to whose discretion these subjects might safely be left, provided they would attend to it *daily* and *exclusively*. Nothing short of this will answer the purpose ; and with nothing short of an inquiry similar in character, if not the same in constitution, will the public be satisfied.

The subject has so far extended itself, that I must leave the second, and by no



3 0112 062004285

16

means the least important, head to another time; and I have the honour to subscribe myself,

SIR,

Your very obedient Servant,

CAUTUS.

*To the Right Hon.*

*Sir ROBERT PEEL, Bart., M.P.*